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LIST OF POTENTIAL
PERMITS AND APPROVALS REQUIRED TO CONSTRUCT
PROPOSED OIL SHALE FACILITY
UINTAH COUNTY, UTAH

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**LIST OF POTENTIAL
PERMITS AND APPROVALS REQUIRED TO CONSTRUCT
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Federal Agency	Permits/Approvals	Regulatory Reference	Project Element	Processing Period (Days)	Comments
Environmental Protection Agency Region VIII, Enforcement Division	(1) Prevention of Significant Deterioration (PSD) Permit	40 CFR Parts 51 and 52	Mining, Crushing, Retorts, Product Recovery, Gas Treating, Sulfur Recovery, and Other Process Equipment	120-180	New Source Review and permit approval required for construction of oil shale processing facilities which include sources of air emissions which have the potential to emit more than 100 tons per year of any pollutant regulated under the Clean Air Act. Preconstruction Notice must first be filed with EPA for determination of whether source is subject to PSD review. If so, permit application must then be filed.
	(2) NPDES Permit	40 CFR 6 & 125	Process Water Disposal, Mine Drainage, Sanitary Sewage, Leachate from Raw or Processed Shale Disposal or Other Process Effluent Discharges	180-210	Application must be submitted at least 180 days prior to commencement of discharge. NPDES controls point and non-point source discharges. EPA may require the submission of plans and design specifications. Must submit data on volume and type of discharge. Limits on discharged wastes are based on maintaining water quality standards. Public comment period held and public hearing conducted if public comments raise significant controversy. State of Utah certification required before EPA will issue permit.
	(3) SPCC Plan Approval	40 CFR 10 40 CFR 112	Petroleum Products, Storage and Transfer Facilities	(See Comments)	Plan must be prepared for any storage facility exceeding 1,320 gallons (sur face) or 42,000 gallons (underground) that could discharge oil in harmful quantities to waters of U.S. No submittal required prior to operation, but plan must be signed by professional engineer and available on-site within 6 months after operations begin.
	(4) UIC Permit	40 CFR 122, 123 & 146	Mine Drainage and Process Wastewater Disposal (if by injection)	120	Permit was established by May 19, 1980 regulations and became effective on July 18, 1980. Implementation date is not yet available.
	(5) Consolidated Permit Program	40 CFR 122 FR 33290, May 19, 1980	Acquisition of the following permits: NPDES, PSD, Hazardous Waste Management Regulations, UIC, and State 404 Programs	120-180	EPA established final regulations on May 19, 1980, which combine five permits into a "one-step" application system. Thus, for any of these permits which are required, applications may be submitted together on designated forms. States may choose to administer any or all of these permit programs and may adopt the consolidated permit package.
	(6) Hazardous Waste Permit	40 CFR 260, FR 33066 May 19, 1980	Solid Waste Disposal		According to the May 19, 1980 Hazardous Waste Regulations, disposal of waste products on the land which have a specified level of instability, corrosivity, reactivity, or toxicity will require a permit. Mining wastes, except uranium and phosphates, may become exempted from these regulations.

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Department of the Army, Corps of Engineers	Dredge and Fill Permit (404 Permit)	33 CFR 323	Dams, Water Diversion Facilities, or Other Construction Resulting in Alterations to Water Course	90-120	Should the project include construction of fills, dams, or other similar structures in streambeds, waterways, wetlands, or areas where such would affect waters of the United States, a Section 404 Permit may be required.
Department of the Interior, Bureau of Land Management	Right-of-Way Easement, License or Permit	43 CFR 2800	Utility Corridors (ROW's) for Roads, Pipelines, and Transmission Lines; Dams and Water Diversion Structures; Worker Housing, Dining and Recreation Areas	120-150	ROW easement, license or permit required for such facilities located on BLM lands outside State lease area.
Department of Energy, Federal Energy Regulatory Commission	Identification Report — Major Fuel Burning Installation		Process Gas Burners, Boilers, Power Generation Units	90-120	
Economic Regulatory Administration	Request for Assignment of a Petroleum Products Supplier		Motor Gasoline Supply		ERA Form 00 is voluntary, in case an individual or firm wants to be assured of a supply of regulated fuels (motor gasoline and butane only).

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State Agency	Permits/Approvals	Regulatory Reference	Project Element	Processing Period (Days)	Comments
Utah Department of Health					
Air Conservation Committee	(1) Notice of Intent to Construct	Utah Code Ann., 26-24-9 (1976), and Utah Dept. of Social Services, Air Conservation Reg. 3.3 (1978)	Mining, Crushing, Retorts, Product Recovery, Gas Treating, Sulfur Recovery and Other Process Equipment	60-180	Approved Notice of Intent required for any new facility which may become a source of air pollution.
	(2) Open Burning Permit	Air Conservation Reg. 24 (1978)	Waste Material Disposal by Burning		A permit must be obtained from the State prior to burning waste material in the open.
Water Pollution Control Committee	(1) Permit to Construct	Utah Code Ann., 26-15-4 and 73-14-1 et seq. (1953 and Supp. 1979) "Utah Code of Waste Disposal Regulations," Parts I, II, III	Process Water Disposal, Mine Drainage, Sanitary Sewage, Leachate from Raw or Processed Shale Disposal, or Other Process Effluent Discharge	14-28	Prior to commencing construction of any wastewater treatment facilities which will discharge wastewaters, a "Permit to Construct" must be obtained from the Utah Water Pollution Control Committee. Wastewaters discharged from such facilities may not violate state water quality standards. Secondary treatment required of all point source discharges.
	(2) Plan Approval	Utah Code Ann., 73-14-1 et seq., (1953 & Supp. 1979), "Utah Code of Waste Disposal Regulations," Part V	Sanitary Wastewater Disposal Facilities	30	Any individual sewage treatment system designed to serve more than one individual home, or a multiple dwelling unit with more than four family units, or a commercial installation designed to serve more than 50 persons per day must receive plan approval from the Division of Health.
Bureau of Solid Waste	Plan Approval	Utah Code Ann., 26-15-5(5)(c) (1976), 26-37-1 to -15 (Supp. 1979)	Solid Waste Disposal Facilities	14-21 (See Comments)	Plan approval required for disposal facilities. Detailed plans of facility must be submitted for approval prior to commencing construction of facility. Hazardous wastes regulations are currently being developed in accordance with Utah's Hazardous Waste Management Act of 1979. Utah has received authority from EPA to administer the RCRA program.
Bureau of Public Water Supplies	Plan Approval	Utah Code Ann., 26-15-5(5)(a) (Supp. 1979) "Rules and Regulations Relating to Public Water Supplies"	Water Supply, Treatment, Storage and Distribution Systems	14-21	Design plans and water quality must be approved by the Director of the Division of Health prior to construction. (Federal Primary Drinking Water Standards apply as stated in 40 CFR 141).

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Utah Dept. of Natural Resources <i>DIVISION</i> Bureau of Oil, Gas and Mining	(1) Notice of Intent to Commence Mining	Utah Code Ann., 40-8 (et seq.) (1953) 26-37-1 to -15 (Supp. 1979)	Mining Operations, Raw and Processed Shale Disposal	60-120	Prior to commencing any mining-related activities, a "Notice of Intent to Commence Mining Operations" must be approved by the Board of Oil, Gas and Mining. A mining plan, reclamation plan and other pertinent environmental data must be submitted for review by the Division of Oil, Gas and Mining. Public notice is issued and public hearings may be held if valid protests are filed.
	(2) Notice of Commencement of Mining Operations	Utah Code Ann., 40-8-15 (1953)	Mining Operations, Raw and Processed Shale Disposal	(See Comments)	Notice must be given within 30 days of commencement of operations to the Board of Oil, Gas and Mining
	(3) Notice of Intent to Revise Mining Operations	Utah Code Ann., 40-8-15 (1953)	Mining Operations, Raw and Processed Shale Disposal	30-60	A notice of intention to revise mining operations shall be processed and considered in the same manner as an original notice of intention to commence mining.
State Engineer	(1) Permit to Appropriate Water	Utah Code Ann., 73-3-1 et seq., (1953)	Water Use	90-195	"Application to Appropriate Water" must be filed with the State Engineer in the Division of Water Rights. Public notice issued and public hearing held in event of valid adverse comments.
	(2) Permit to Alter Natural Stream	Utah Code Ann., 73-3-29 (Supp. 1977)	Dams, Water Diversion Facilities or Other Construction Resulting in Alterations to Water Course	30	Any construction work or activity which would result in alteration of a natural stream must be approved by the State Engineer in DWR. Application is approved if alteration would not damage existing water rights or points of diversion. Permit to construct dam is also required.
	(3) Permit to Construct a Dam	Utah Code Ann., 73-5-5 (Supp. 1977)	Dams, Water Diversion Facilities or Other Construction Resulting in Alterations to Water Course	10-60	Anyone proposing to construct an impoundment dam must first obtain a permit from the State Engineer. Depending on size of structure, applicant may be required to submit detailed plans, drawings and specifications. State Engineer may assign an inspector to oversee construction. Application must be submitted 30 days prior to construction.
	(4) Permit to Permanently Change the Point of Diversion, Place and Nature of Use of Water	Utah Code Ann., 73-3-3 (1967)	Water Use	90-135	Permit required if existing water rights are to be utilized for a use not designated in an existing water right.

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Utah Dept. of Natural Resources (cont.)					
State Engineer (cont.)	(5) Permit to Divert	Utah Code Ann., 73-3-20 (1967)	Water Use		Appropriated water may be diverted from its natural stream upon the issuance of a permit from the State Engineer.
Division of State Lands	Right-of-Way Lease	Utah Code Ann., 65-2-1 to -4 (1977)	Utility Corridors (ROWs) for Roads, Pipelines, Transmission Lines and Similar Systems	90-120	ROW lease required for such facilities on state lands outside of mineral lease boundary.
Utah Dept. of Transportation					
Public Service Commission	(1) Permit for Transportation of Explosives	Utah Code Ann., 41-6-154 (1953)	Mining	14-21	Public Service Commission is authorized to promulgate regulations governing the transportation of explosives and other dangerous articles by vehicles on any highway.
	(2) Permit for Overweight Vehicles	Utah Code Ann., 27-12-151 (1953)	Heavy Equipment Transport	7-14	No vehicle having a gross weight in excess of that permitted in Section 27-12-151 (U.C.A. 1953) shall be driven on any highway without an overweight permit.
	(3) Permit for Construction of Road		Access Roads, Hauling Roads		

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Local Agency	Permits/Approvals	Regulatory Reference	Project Element	Processing Period (Days)	Comments
Uintah County					
County Planning Commission	(1) Certificate of Zoning Compliance	Uniform Zoning Ordinance	General Site Preparation, Staging, Shaft Development, and Mining Operations, Including Maintenance Facilities, Warehousing and Other Support Facilities	30	Mining activities are commonly allowed in the Multiple Use Districts. Current zoning in Uintah County may require zone change or variance to allow oil shale facility. In addition, specific zone changes within the Multiple Use District may be required for certain types of housing.
	(2) Mobile Home Approval	Uniform Zoning Ordinance	Worker Housing	30	Mobile home parks may not be constructed until approved by County Planning Commission. Applicant must submit development plan and obtain building permit.
County Building Inspector	Building Permit	Uniform Zoning Ordinance	General Site Preparation, Staging, Shaft Development, and Mining Operations, Including Maintenance Facilities, Warehousing and Other Support Facilities	30	Prior to the commencement of construction, alteration, repair or removal of any building or structure, a Building Permit must be obtained from the County. A detailed site plan must be filed and evidence of compliance with the Uniform Zoning Ordinance and any other applicable county ordinance must be provided.
County Health Department	Approval for Food Service Sanitation	Utah Code Ann., 26-15-4 (21) (Supp. 1969)	Worker Dining Facilities	(See Comments)	County currently enforces state food service sanitation standards adopted by the Division of Health. Before any food service establishment begins service, local health officer must inspect premises and determine compliance with state standards.
County Commissioners	Permit for Handling of Explosive Material		Mining		